

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMES O'NEIL WIGGIN,

Plaintiff,

v.

RICHARD ROBIDEAU, et al.,

Defendants.

NO: 4:12-CV-5046-RMP

ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION

BEFORE THE COURT is Plaintiff's "Motion to Reconsider Order on Summary Judgment," ECF No. 141. The Court has considered the briefing and the file and is fully informed.

The Court previously entered an order on summary judgment, in which it granted Defendants' motion for summary judgment on Plaintiff's claims and denied Plaintiff's cross-motion for summary judgment. ECF No. 134. The Court concluded that Plaintiff had exhausted his administrative remedies only as to a claim for retaliation against Defendant Lightbody for a four-day delay in making

1 photocopies that Plaintiff requested in connection with a legal case. ECF No. 134,
2 at 4-11.

3 Plaintiff asks the Court to reconsider this ruling. Plaintiff asserts that the
4 Court should find that he administratively exhausted his claim regarding an alleged
5 retaliatory search of his prison cell on January 6, 2011. However, the Court
6 already considered whether Plaintiff exhausted this claim as previously analyzed in
7 its Order. ECF No. 134 at 8-10. In his motion for reconsideration, Plaintiff only
8 reargues his position on this issue, which the Court already considered and
9 rejected.

10 According, **IT IS HEREBY ORDERED** that Plaintiff's "Motion to
11 Reconsider Order on Summary Judgment," **ECF No. 141**, is **DENIED**.

12 The District Court Clerk is directed to enter this Order and to provide copies
13 to counsel and pro se Plaintiff.

14 **DATED** this 8th day of January 2014.

15
16 *s/ Rosanna Malouf Peterson*
17 ROSANNA MALOUF PETERSON
18 Chief United States District Court Judge
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